

not approve thereof, they shall order another jury to be summoned, and proceed in like manner to assess said damages and return their proceedings to said court, and upon approval thereof by said court, said damages and cost shall be paid by said president and directors; and if said president and directors shall not pay the damages so assessed, and all costs, execution may issue therefor against them as against other corporations: *Provided, always*, that either party not satisfied with the sentence or decree of the County Court, may appeal therefrom to the Superior Court of Law for said county.

V. *Be it further enacted*, That the rail road contemplated to be made by the said company within the State of North Carolina, shall terminate on the North side of the Roanoke river, opposite or below Weldon, in this State.

VI. *And be it further enacted*, That it shall be lawful for said company to purchase lands from the proprietors at the point of termination of said rail road, or in its vicinity, not exceeding ten acres, to be used by them for all necessary purposes of said road, or to be disposed of when by them it shall be deemed proper.

VII. *And be it further enacted*, That if any person shall wilfully injure, impair or destroy, or cause to be injured, impaired or destroyed, any part of the said rail road, or any necessary works, carriages, vehicles, or machines of said company, in this State, such person or persons so offending shall forfeit and pay the sum of five hundred dollars to the use of said company, to be recovered by said company by action of debt in the Superior Court of Law or Court of Pleas and Quarter Sessions of the county wherein the offence shall have been committed, and shall moreover be subject to indictment in either of said courts, and upon conviction shall be punished by fine or imprisonment at the discretion of the court.

VIII. *And be it further enacted*, That this act and every part and provision thereof shall be subject to be altered, amended or modified by any future Legislature, as to them shall seem necessary and proper, except so much thereof as prescribes the rate of compensation or tolls for transportation of produce or other commodities, allowed to the said company: *And provided also*, That the rights of property acquired by the said company under this act shall not be taken away or impaired by any future act of the Legislature.

IX. *Be it further enacted*, That the president and directors of said company, after that part of the rail road within this State is completed may erect a gate or gates at such place or places as they may think proper, and demand and receive the same rate of toll for transporting any produce or other commodity, as they are entitled to demand by the above recited act, under the same rules and regulations; and it shall be the duty of the said president and directors to render to this Legislature annually a fair account of the expense incurred in constructing and keeping in repair that part of the rail road within this State, and the amount of tolls received on the same; and whenever the nett amount of tolls so received, shall equal the sum expended in constructing that part of the road, together with six per centum per annum on that sum, from the time it was so expended, then it shall be in the power of this Legislature so to regulate the rate of toll that the nett amount annually collected shall not exceed six per centum per annum on the sum originally expended.

*And be it further enacted*, That this act shall be in force from and after the passage thereof, and that the corporation shall exercise the corporate powers herein granted for sixty years and no longer, without a renewal of the charter.